THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.14883 of 2001

DATED 25.09.2006

Between:
Sree Gramabhyudaya Sangham,
Gavara Kancharapalem, Visakhapatnam,
represented by its Secretary Malla
Rama Prasad. .. PETITIONER

versus

The Commissioner, Municipal Corporation
Visakhapatnam and another. .. RESPONDENTS

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.14883 of 2001

ORDER:

Heard the learned counsel.

2. The Writ Petition is filed for a Writ of Mandamus or any other appropriate writ, order or direction, declaring the order dated 25.7.2000 on the file of Human Rights Court-cum-M.M. Visakhapatnam directing the 1st respondent to demolish the building in dispute situated in S.No.41/1 of Gavara Kancharaopalem village, 39th Ward, Visakhapatnam as illegal, null and void, violative of principles of natural justice and without jurisdiction and further directing the respondents to drop all further proceedings pursuant to the order dated 25.7.2000 passed by the 1st respondent and pass such other suitable orders.

3. It is stated that the petitioner-society was established in 1958. It is also further stated that the 1st respondent registered

DDR.184/2000 on 18.2.2000. The 1st respondent passed the impugned order on 25.7.2000. The news item dated 16.7.2001 also had been referred to.

4. The main contention of the writ petitioner is that the impugned action is without jurisdiction.

5. In the light of the facts and circumstances, this Court is of the opinion that the Writ Petition be disposed of with a direction to the Commissioner, Municipal Corporation, Visakhapatnam to verify the facts and circumstances and if necessary take appropriate further action in accordance with law.

6. The Writ Petition is disposed of accordingly. No costs.

25.09.2006

SSR